

**A CONFIRMING RESOLUTION amending R-33-96, the designating of an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 2002 South Coliseum Boulevard, Fort Wayne, Indiana 46803 (Miscellaneous Metals Corporation)**

**WHEREAS**, Common Council has previously designated and declared by Declaratory Resolution the following described property as an "Economic Revitalization Area" under Section 153.02 of the Municipal Code of the City of Fort Wayne, Indiana, of 1993, as amended and I.C. 6-1.1-12.1, to wit:

**Attached hereto as "Exhibit A" as if a part herein; and**

**WHEREAS**, said project will create 12 full-time, permanent jobs for a total additional annual payroll of \$220,000, with the average new annual job salary being \$18,300 and retain 18 full-time, permanent jobs for a current annual payroll of \$630,000, with the average current annual job salary being \$35,000; and

**WHEREAS**, the total estimated project cost is \$1,390,000; and

**WHEREAS**, recommendations have been received from the Committee on Finance and the Department of Economic Development concerning said Resolution; and

**WHEREAS**, notice of the adoption and substance of said Resolution has been published in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 and a public hearing has been conducted on said Resolution; and

**WHEREAS**, if said Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, The Fort Wayne Redevelopment Commission has adopted a Resolution approving the designation.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:**

**SECTION 1.** That, R-33-96 which previously confirmed the above described property as an "Economic Revitalization Area" is amended in all respects.

**SECTION 2.** That, the hereinabove described property is hereby declared an "Economic Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the effective date of this Resolution and shall terminate on December 31, 2005.

**SECTION 3.** That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall apply to a deduction of the assessed value of real estate and personal property for new manufacturing equipment.

**SECTION 4.** That, the estimate of the number of individuals that will be employed or whose employment will be retained and the estimate of the annual salaries of those individuals and the estimate of redevelopment or rehabilitation and estimate of the value of the new manufacturing equipment, all contained in Petitioner's Statement of Benefits are reasonable and are benefits that can be reasonably expected to result from the proposed described installation of the new manufacturing equipment.

**SECTION 5.** The current year approximate tax rates for taxing units within the City would be:

- a) If the proposed development does not occur, the approximate current year tax rates for this site would be \$9.2453/\$100.
- b) If the proposed development does occur and no deduction is granted, the approximate current year tax rate for the site would be \$9.2453/\$100 (the change would be negligible).
- c) If the proposed development occurs, and a deduction percentage of fifty percent (50%) is assumed, the approximate current year tax rate for the site would be \$9.2453/\$100 (the change would be negligible).
- d) If the proposed new manufacturing equipment is not installed, the approximate current year tax rates for this site would be \$9.2453/\$100.



- 1 e) If the proposed new manufacturing equipment is installed and no deduction is granted, the  
approximate current year tax rate for the site would be \$9.2453/\$100 (the change would be  
negligible).
- 2 f) If the proposed new manufacturing equipment is installed and a deduction percentage of  
eighty percent (80%) is assumed, the approximate current year tax rate for the site would be  
3 \$9.2453/\$100 (the change would be negligible).

4 **SECTION 6.** That, pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction from  
the assessed value of the real property shall be for a period of ten years, and that the deduction from the  
assessed value of the new manufacturing equipment shall be for a period of five years.

5 **SECTION 7.** That, the benefits described in the Petitioner's Statement of Benefits can be  
reasonably expected to result from the project and are sufficient to justify the applicable deductions.

6 **SECTION 8.** For new manufacturing equipment, a deduction application must contain a  
performance report showing the extent to which there has been compliance with the Statement of Benefits  
7 form approved by the Fort Wayne Common Council at the time of filing. This report must be submitted to  
the Allen County Auditor's Office, and the City of Fort Wayne's Department of Economic Development and  
8 must be included with the deduction application. For subsequent years, the performance report must be  
updated and submitted along with the deduction application at the time of filing.

9 **SECTION 9.** For real property, a deduction application must contain a performance report  
showing the extent to which there has been compliance with the Statement of Benefits form approved by  
10 the Fort Wayne Common Council at the time of filing. This report must be submitted to the Allen County  
Auditor's Office and the City of Fort Wayne's Department of Economic Development and must be included  
11 in the deduction application. For subsequent years, the performance report must be updated within sixty  
days after the end of each year in which the deduction is applicable.

12 **SECTION 10.** The performance report must contain the following information:

- 13 a) The cost and description of real property improvements and/or new manufacturing equipment  
acquired.
- 14 b) The number of employees hired through the end of the preceding calendar year as a result of  
the deduction.
- 15 c) The total salaries of the employees hired through the end of the preceding calendar year as a  
result of the deduction.
- 16 d) The total number of employees employed at the facility receiving the deduction.
- 17 e) The total assessed value of the real and/or personal property deductions.
- 18 f) The tax savings resulting from the real and/or personal property being abated.

19 **SECTION 11.** That, the taxpayer is non-delinquent on any and all property tax due to  
jurisdictions within Allen County, Indiana.

20 **SECTION 12.** That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that has received a  
deduction under section 3 or 4.5 of said chapter may be required to repay the deduction amount as  
determined by the county auditor in accordance with section 12 of said chapter if the property owner  
ceases operations at the facility for which the deduction was granted and if the Common Council finds that  
the property owner obtained the deduction by intentionally providing false information concerning the  
property owner's plans to continue operation at the facility.

21 **SECTION 13.** That, this Resolution shall be in full force and effect from and after its passage  
and any and all necessary approval by the Mayor.

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Member of Council

APPROVED AS TO FORM AND LEGALITY

J. Timothy McCaulay  
J. Timothy McCaulay, City Attorney

Read the first time in full and on motion by Crawford,  
and duly adopted, read the second time by title and referred to the Committee on Finance, (and the City Plan Commission for recommendation)  
and Public Hearing to be held after due legal notice, at the Common Council Conference  
Room 128, City-County Building, Fort Wayne, Indiana, on Tuesday,  
the 10th day of June, 19 97 at 10:30  
o'clock P. M., E.S.T.

DATED: 5-27-97

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Crawford,  
and duly adopted, placed on its passage. PASSED  
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>6</u>			<u>3</u>
BENDER	<u>✓</u>			
CRAWFORD	<u>✓</u>			
EDMONDS				<u>✓</u>
HALL	<u>✓</u>			
HAYHURST	<u>✓</u>			
HENRY				<u>✓</u>
LUNSEY				<u>✓</u>
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			

DATED: 6-10-97

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana,  
as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL)

(ZONING)

ORDINANCE

RESOLUTION NO.

P. 37-97

on the 10th day of June, 19 97

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

SEAL

Rebecca Prairie  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the  
11th day of June, 19 97  
at the hour of 1:30 o'clock P. M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 13th day  
of June, 19 97, at the hour of 9:00  
o'clock A M., E.S.T.

PAUL HELMKE  
PAUL HELMKE, MAYOR





# MEMORANDUM

**TO:** City Council  
**FROM:** Staci Walter, Economic Development Specialist  
**DATE:** May 21, 1997  
**RE:** Amendment to R-33-96 for Miscellaneous Metals Corporation as an ERA for real and personal property improvements

## BACKGROUND

<b>PROJECT ADDRESS:</b> 2002 S. Coliseum Blvd.	<b>PROJECT LOCATED WITHIN:</b> Not Applicable
<b>PROJECT COST:</b> \$ 1,390,000	<b>COUNCILMANIC DISTRICT:</b> 1

<b>COMPANY PRODUCT OR SERVICE:</b>	Manufactures structural and architectural steel fabrications for the commercial/industrial building construction industry.
<b>PROJECT DESCRIPTION:</b>	Existing building will be remodeled and will include new mechanical, electrical, and plumbing systems. A new fabricating shop will be erected, and two full length cranes will be installed.

### CREATED

### RETAINED

<b>JOBS CREATED (FULL-TIME):</b>	12	<b>JOBS RETAINED (FULL-TIME):</b>	18
<b>JOBS CREATED (PART-TIME):</b>	0	<b>JOBS RETAINED (PART-TIME):</b>	0
<b>TOTAL NEW PAYROLL:</b>	\$ 220,000	<b>TOTAL RETAINED PAYROLL:</b>	\$ 630,000
<b>AVERAGE SALARY (NEW):</b>	\$ 18,300	<b>AVERAGE SALARY (RETAINED):</b>	\$ 35,000

## COMMUNITY BENEFIT REVIEW

Yes ☒ No ☐ N/A ☐

Project will encourage vacant or under-utilized land appropriate for commercial or industrial use?

**Explain:**

Yes ☒ No ☐ N/A ☐

Real estate to be designated is consistent with land use policies of the City of Fort Wayne?

**Explain:** The property known as 2002 S. Coliseum is zoned M2.

Yes ☐ No ☐ N/A ☒

Project encourages the improvement or replacement of a deteriorated or obsolete structure?

**Explain:**

DEPARTMENT OF ECONOMIC DEVELOPMENT

Yes ☒ No ☐ N/A ☐

Project encourages the improvement or replacement of obsolete manufacturing equipment?

**Explain:**

Yes ☐ No ☐ N/A ☒

Project will result in significant conversion of solid waste or hazardous waste into energy or other useful products?

**Explain:**

Yes ☐ No ☐ N/A ☒

Project encourages preservation of an historically or architecturally significant structure?

**Explain:**

Yes ☒ No ☐ N/A ☐

ERA designation induces employment opportunities for Fort Wayne area residents?

**Explain: Miscellaneous Metals Corporation will create 12 new jobs with benefits.**

Yes ☒ No ☐ N/A ☐

Mean average wage of all full-time jobs to be created is at least 150% of current Federal minimum wage.

**Explain: The mean average wage of full-time jobs created is 186% of the current Federal minimum wage rate.**

Yes ☒ No ☐ N/A ☐

Mean average wage of all full-time jobs to be retained is at least 150% of current Federal minimum wage.

**Explain: The mean average wage rate of full-time jobs retained is 355% of the current Federal minimum wage rate.**

Yes ☒ No ☐ N/A ☐

Taxpayer is NOT delinquent on any or all property tax due to any taxing jurisdiction within Allen County.

**Explain:**

## POLICY

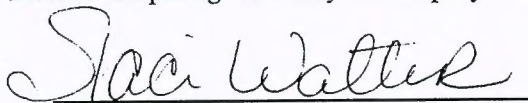
Per the policy of the City of Fort Wayne, the following guidelines apply to this project:

1. The period of deduction for real property is ten years.
2. The period of deduction for personal property is five years.

## COMMENTS

The effect of passage is to amend the designation period of the ERA in order to allow the company to complete the project. The effect of non-passage will deny the company the ability to apply for a deduction on the project.

Signed:



Economic Development Specialist



**STATEMENT OF BENEFITS**

State Form 27167 (R5 / 11-95)

Form SB - 1 is prescribed by the State Board of Tax Commissioners, 1989

CITY OF FT WAYNE

**FORM  
SB - 1**

MAY 10 1997

**INSTRUCTIONS:**

1. This statement must be submitted to the body designating the economic revitalization area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body **BEFORE** a person installs the new manufacturing equipment, or **BEFORE** the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction. "Projects" planned or committed to after July 1, 1987 and areas designated after July 1, 1987 require a STATEMENT OF BENEFITS. (IC 6-1.1-12.1)
2. Approval of the designating body (City Council, Town Board, County Council, etc.) must be obtained prior to initiation of the redevelopment or rehabilitation, or prior to installation of the new manufacturing equipment, **BEFORE** a deduction may be approved.
3. To obtain a deduction, Form 322 ERA, Real Estate Improvements and / or Form 322 ERA / PP, New Machinery, must be filed with the county auditor. With respect to real property, Form 322 ERA must be filed by the later of: (1) May 10; or (2) thirty (30) days after a notice of increase in real property assessment is received from the township assessor. Form 322 ERA / PP must be filed between March 1 and May 15 of the assessment year in which new manufacturing equipment becomes assessable, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between March 1 and June 14 of that year.
4. Property owners whose Statement of Benefits was approved after June 30, 1991 must submit Form CF - 1 annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)

**SECTION 1****TAXPAYER INFORMATION**

Name of taxpayer <b>Miscellaneous Metals Corporation</b>	
Address of taxpayer (street and number, city, state and ZIP code) <b>1729 Edsall Avenue Fort Wayne, Indiana 46803</b>	
Name of contact person <b>Kenneth A. Snyder</b>	Telephone number <b>( 219 ) 422-6433</b>

**SECTION 2****LOCATION AND DESCRIPTION OF PROPOSED PROJECT**

Name of designating body <b>FORT WAYNE COMMON COUNCIL</b>		Resolution number <b>R - 37-97</b>	
Location of property <b>Corner of S. coliseum Blvd. and New Haven Ave.</b>	County <b>Allen</b>	Taxing district <b>Wayne Township</b>	
Description of real property improvements and / or new manufacturing equipment (use additional sheets if necessary) <b>We will remodel the existing building. A new fabrication shop will be erected. We will install two bridge cranes and jib cranes at work stations.</b>		<b>ESTIMATED</b>	
		Start Date	Completion Date
	Real Estate	9/96	12/97
	New Mfg Equipment	1/97	12/97

**SECTION 3****ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT**

Current number	Salaries	Number retained	Salaries	Number additional	Salaries
18	630,000.00	18	630,000.00	12	220,000.00

**SECTION 4****ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT**

<b>NOTE:</b> Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.	Real Estate Improvements		Machinery	
	Cost	Assessed Value	Cost	Assessed Value
Current values	200,000	91,730	67,200	22,400
Plus estimated values of proposed project	1,200,000		190,000	
Less values of any property being replaced	-----	-----	-----	-----
Net estimated values upon completion of project	1,400,000		257,200	

**SECTION 5****WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER**

Estimated solid waste converted (pounds) _____	Estimated hazardous waste converted (pounds) _____
Other benefits: _____	

**SECTION 6****TAXPAYER CERTIFICATION**

I hereby certify that the representations in this statement are true.		
Signature of authorized representative <b>Kenneth A. Snyder</b>	Title <b>V. PRES. &amp; GEN. MGR.</b>	Date signed (month, day, year) <b>5-9-97</b>



# FOR USE OF THE DESIGNATING BODY

We have reviewed our prior actions relating to the designation of this economic revitalization area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-2.5, provides for the following limitations as authorized under IC 6-1.1-12.1-2.

- A. The designated area has been limited to a period of time not to exceed \_\_\_\_\_ calendar years \* (see below). The date this designation expires is 12-31-2005.
- B. The type of deduction that is allowed in the designated area is limited to:
1. Redevelopment or rehabilitation of real estate improvements; ☐ Yes ☐ No
  2. Installation of new manufacturing equipment; ☐ Yes ☐ No
  3. Residentially distressed areas ☐ Yes ☐ No
- C. The amount of deduction applicable for new manufacturing equipment is limited to \$ 285,000 cost with an assessed value of \$ 95,000.
- D. The amount of deduction applicable to redevelopment or rehabilitation is limited to \$ 1,800,000 cost with an assessed value of \$ 600,000.
- E. Other limitations or conditions (specify) Subject to taxpayer's non-delinquent status on any and all property tax due to taxing jurisdictions within Allen County, Indiana.
- F. The deduction for new manufacturing equipment installed and first claimed eligible for deduction after July 1, 1991 is allowed for:
- ☒ 5 years ☐ 10 years The deduction period will be five (5) years unless the designating body has by resolution specified the ten (10) year period.

Also we have reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved: (signature and title of authorized member) <u>Rebecca Davis</u>	Telephone number <u>(219) 427-1221</u>	Date signed (month, day, year) <u>6-10-97</u>
Attested by: <u>Debra E. Kennedy</u>	Designated body <u>Common Council</u>	

\* If the designating body limits the time period during which an area is an economic revitalization area, it does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years designated under IC 6-1.1-12.1-4 or 4.5 Namely: (see tables below)

NEW MANUFACTURING EQUIPMENT		
For Deductions Allowed Over A Period Of:		
Year of Deduction	Five (5) Year Percentage	Ten (10) Year Percentage
1st	100%	100%
2nd	95%	95%
3rd	80%	90%
4th	65%	85%
5th	50%	80%
6th		70%
7th		55%
8th		40%
9th		30%
10th		25%

REDEVELOPMENT OR REHABILITATION OF REAL PROPERTY IMPROVEMENT			
For Deductions Allowed Over A Period Of:			
Year of Deduction	Three (3) Year Deduction	Six (6) Year Deduction	Ten (10) Year Deduction
1st	100%	100%	100%
2nd	66%	85%	95%
3rd	33%	66%	80%
4th		50%	65%
5th		34%	50%
6th		17%	40%
7th			30%
8th			20%
9th			10%
10th			5%



LEGAL DESCRIPTION

That part of the North 455 feet of the East 8.26 chains (545.16 feet) of the Southwest Quarter of Section 8, Township 30 North, Range 13 East, in Allen County, Indiana, described as follows, to-wit:

Commencing at the point of intersection of the East line of Redwood Avenue, by the South line of New Haven Avenue, both presently established in the City of Fort Wayne; thence running East on the line aforesaid, a distance of 469 feet to a point 70 feet West of the East line of said quarter section; thence Southeastward by a deflection right of 45 degrees, a distance of 33.11 feet; thence Southeastward by a deflection right of 28 degrees, 29 minutes, a distance of 102.8 feet to the West line of Bueter Road as situated parallel to and 20 feet West of the East line of said quarter section; thence South along the aforesaid Bueter Road West line, a distance of 305.1 feet to the North line of the plat of Shady Brook Park Addition, as recorded in Plat Book 8, page 18, in the Office of the Recorder of said county; thence West and parallel to the North line of said quarter section, a distance of 519.1 feet, along the aforesaid addition North line, to the East line of said Redwood Ave, as presently established; thence North on the line aforesaid, 425 feet to the place of beginning, containing 5.06 acres of land,



Admn. Appr. \_\_\_\_\_

DIGEST SHEET

**TITLE OF ORDINANCE: Confirming Resolution**

**DEPARTMENT REQUESTING ORDINANCE: Department of Economic Development**

**SYNOPSIS OF ORDINANCE: This is to amend the designation of an Economic Revitalization Area for Miscellaneous Metals Corporation in order to allow the company time to complete their project.**

**EFFECT OF PASSAGE: The effect of passage is to amend the designation period of R-33-96 designating property at 2002 South Coliseum Boulevard as an ERA in order to allow the company to complete their project.**

**EFFECT OF NON-PASSAGE: The effect of non-passage will deny the company the ability to apply for a deduction on the project.**

**MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS): No expenditures of public funds required.**

**ASSIGNED TO COMMITTEE (PRESIDENT): John Crawford**



BILL NO. R-97-05-30

REPORT OF THE COMMITTEE ON FINANCE

JOHN N. CRAWFORD - DONALD J. SCHMIDT - CO-CHAIR  
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON FINANCE TO WHOM  
WAS REFERRED AN (~~ORDINANCE~~) XXXXXXXXXXXX (RESOLUTION) amending R-33-96, the  
designating of an "Economic Revitlaization Area" under I.C. 6-1.1-12.1  
for property commonly known as 2002 South Coliseum Boulevard, Fort  
Wayne, Indiana, 46803 (Miscellaneous Metals Corporation)

HAVE HAD SAID (~~ORDINANCE~~) XXXXXXXXXXXX (RESOLUTION) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(~~ORDINANCE~~) XXXXXXXXXX (RESOLUTION) \_\_\_\_\_

DO PASS

DO NOT PASS

ABSTAIN

NO REC

*John N. Crawford*  
*Donald J. Schmidt*  
*John N. Crawford*

*Robert L. B...*  
*Thomas J. H...*  
*D.J. Schmidt*

DATED:

Sandra E. Kennedy  
City Clerk